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February 5, 1999

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FEB - 5 1999

PEDERAL COMMUNICATIONS COMMISSION GPPICE OF THE SECRETARY

BY HAND

Secretary
Federal Communications Commission
The Portals
Room TW-A306
445 Twelfth Street, S.W.
Washington, DC 20554

In re: CC Docket No. 91-142

Dear Ms. Salas:

We are filing the original and 14 copies of a Joint Request for Dismissal of Pleading in the captioned docket.

Please stamp as received the additional copy and return it to our courier.

Very truly yours

John P. Bankson, Ju

JPB/jb

Enclosures

No. of Copies rootd of 14 List A B U D E

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RECEIVED

Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

FEB - 5 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE RECIPETARY

In re Applications of) CC DOCKET NO. 91-142
CRANFORD CELLULAR COMMUNICATIONS) File No. 10611-CL-P-311-A-89
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 311, Alabama 5-Cleburne))))
FLORIDA CELLULAR) File No. 10445-CL-P-505-A-89
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 505, Missouri 2-Harrison))))
A-1 CELLULAR COMMUNICATIONS) File No. 10454-CL-P-514-A-89
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 514, Missouri 11- Moniteau)))
CEL-TEL COMMUNICATIONS) File No. 10912-CL-P-589-A-89
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 589, Ohio 5-Hancock)))
EJM CELLULAR PARTNERS) File No. 10567-CL-P-596-A-89
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 596, Oklahoma 1-Cimarron))))
EJM CELLULAR PARTNERS) File No. 10116-CL-P-721-A-89
For facilities in the Domestic Public Cellular Telecommunications Radio Service on Frequency Block A, in Market 721, Wyoming 4-Niobrara)))

To: The Commission

JOINT REQUEST FOR DISMISSAL OF PLEADING

A-1 Cellular Communications L.L.C. (formerly A-1 Cellular Communications), Cel-Tel Communications of Ohio, Ltd. (formerly Cel-Tel Communications), Cranford Cellular Communications, L.L.C. (formerly Cranford Cellular Communications) and EJM Cellular, L.L.C. (formerly EJM Cellular Partners) (hereinafter A-1, et al.), by their attorneys, file their Joint Request for Dismissal of Pleading in the above-captioned proceeding (the Consolidated Proceeding). Specifically, A-1 et al., request dismissal with prejudice of the July 16, 1997, Opposition to Petition for Reconsideration filed by Thomas Domencich, Committee for a Fair Lottery, et al., (Petitioners) on July 3, 1997.

A-1, et al., take this action pursuant to various settlement agreements with Petitioners.

Concurrently herewith, parties to these settlements are submitting a Joint Notice of Settlement Agreements and Request for Rulings. Petitioners are submitting a separate Joint Motion for Rulings Regarding Settlement Agreements or, in the Alternative, for Approval and Partial Waiver. These submissions contain complete copies of the settlement agreements and declarations of the parties in support thereof.

The settlements contemplate that pleadings directed against A-1, et al., also will be dismissed. Thus, the settlements contemplate the cessation of all litigation by and among the Petitioners, A-1, et al., and the other parties to the Consolidated Proceeding.

DC\259242\1 - 2 -

Kindly refer any questions about this Joint Request to the undersigned.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP Suite 900 901 Fifteenth Street, N.W. Washington, D.C. 20005-2333 (202) 842-8806 A-1 CELLULAR COMMUNICATIONS, L.L.C. CEL-TEL COMMUNICATIONS OF OHIO, LTD. CRANFORD CELLULAR COMMUNICATIONS, L.L.C. EJM CELLULAR, L.L.C.

By:

John P. Bankson, Jr

Their Attorney

February 5, 1999

Certificate of Service

I, Josefina C. Barberena, hereby certify that on February 5, 1999, a copy of the foregoing Joint Request for Dismissal of Pleading was served by first class U.S. mail, postage prepaid, upon:

*Chairman William E. Kennard Federal Communications Commission The Portals 445 12th Street, S.W., Room 8-B201 Washington, DC 20554

*Commissioner Harold Furchtgott-Roth Federal Communications Commission The Portals 445 12th Street, S.W., Room 8-A302 Washington, DC 20554

*Commissioner Susan Ness Federal Communications Commission The Portals 445 12th Street, S.W., Room 8-B115 Washington, DC 20554

*Commissioner Michael K. Powell Federal Communications Commission The Portals 445 12th Street, S.W., Room 8-A204 Washington, DC 20554

*Commissioner Gloria Tristani Federal Communications Commission The Portals 445 12th Street, S.W., Room 8-C302 Washington, DC 20554

*Daniel M. Armstrong, Esquire Roberta L. Cook, Esquire Office of General Counsel Federal Communications Commission The Portals 445 12th Street, S.W., Room 8-A741 Washington, DC 20554

*John I. Riffer, Esquire Associate General Counsel- Adjudication Federal Communications Commission The Portals 445 12th Street, N.W., Room 8-A741 Washington, D.C. 20554 *Thomas J. Sugrue, Esquire Chief Wireless Telecommunications Bureau Federal Communications Commission 2025 M Street, N.W., Room 5002 Washington, D.C. 20554

*By Hand

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Donald J. Evans, Esquire Donelan, Cleary, Wood & Maser, P.C. Suite 750 1100 New York Avenue., N.W. Washington, DC 20005

Peter Gutmann, Esquire Pepper & Corazzini, L.L.P. Suite 200 1776 K Street, N.W. Washington, DC 20006

Courtesy copies of the foregoing Joint Request for Dismissal of Pleading were sent via U.S. first class mail, postage prepaid, to A. Thomas Carroccio, Esquire, Harry F. Cole, Esquire, and William J. Franklin, Esquire, who are not parties of record in CC Docket No. 91-142.

Ibseffda C. Barberena